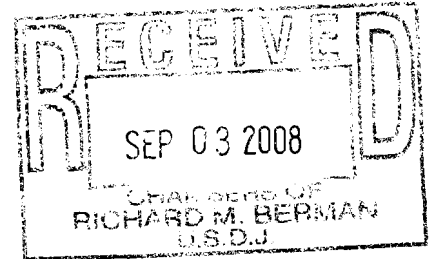


Willie Alexander, DIN. # 90B3134 #
Sing Sing Correctional Facility
354 Hunter Street
Ossining, New York 10562-5442

DATE FILED: Sept 5, 2008

Hon. Richard M. Berman, District Judge
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
United States Courthouse
500 Pearl Street
New York, New York 10007-1312



REF: Defendant's Motion to Dismiss
Alexander v. Galeno, et. al.
07 CIV 9662 (RMB)(DFE)

August 29, 2008

MEMO ENDORSED
p.2

Dear Judge Berman:

This letter is to respectfully request an extension of time in which to respond to the [D]efendant's motion to dismiss the matter presently before this Court brought pursuant to 42 U.S.C. §1983.

I would like to bring the Court's attention to the reasons for this request at this juncture. The motion papers sent to me by the Attorney General of New York State via his Counsel has been lost. I say lost because the motion papers were in a cabinet for overnight storage, and the next day they were no where to be found. I have no idea of who removed them from the cabinet, but I suspect it was done by another inmate, for what reason, I've not a clue. The cabinet was not in my cell or living quarters and was accessible by any number of people here at the prison. The loss is my fault to the extent that I never thought an inmate would ever steal someone else's legal work. I respectfully ask for an additional 60 days in which to respond to the motion of the [D]efendant's.

Additionally, I would respectfully ask that if possible, a copy of the Motion to Dismiss my action by the [D]efendant's be made available to me for the purpose of making a xerox copy of same, after which I would return the Court's copy immediately. I am unable to pay the costs of the Court copying, but at the facility level I can obtain such at the rate of .10¢ per page via the Law Library here at Sing Sing.


I am forwarding copies of this letter to both the Attorney General of New York State eg: Counsel, and a copy of such to the Senior Pro Se Clerk of this Court.

Hon. Richard M. Berman,
U.S. District Court Judge
August 29, 2008
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It is my feeverent hope that Your Honor will grant me this request, and that you will understand why I am making such, especially in view of my circumstances.

I respectfully ask the understanding of the [D]efendant's in this matter as well.

Very Respectfully submitted,


WILLIE ALEXANDER, DIN. #90B3134
Petitioner Pro Se
Sing Sing Correctional Facility
354 Hunter Street
Ossining, New York 10562-5442

TO: Ms. Natalie Sobchak, Senior Pro Se Clerk
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
United States Courthouse Room 230
500 Pearl Street
New York, New York 10007-1312

Hon. Andrew M. Cuomo, NYS Attorney General
Department of Law **ATTN: JEB. HARBEN, Esq** of Counsel
120 Broadway - 25th Floor
New York, New York 10271-0332

Application granted. Plaintiff may file
an opposition to Defendants' motion
on or before 11/3/08. Defendants' reply
by 11/17/08.

SO ORDERED:

Date: 9/4/08


Richard M. Berman, U.S.D.J.